



City of San Antonio

Legislation Details (With Text)

File #: 17-1524

Type: Real Property Sale

In control: City Council A Session

On agenda: 3/9/2017

Title: An Ordinance authorizing the closure, vacation and abandonment of a 2.740 acre unimproved portion of Blackberry Drive and Lealand Drive public right-of-ways in Council District 7 for a fee of \$120,678.00 as requested by Caliburn Capital. [Peter Zanoni, Deputy City Manager, Mike Frisbie, Director, Transportation & Capital Improvements]

Sponsors:

Indexes:

Code sections:

Attachments: 1. Fiscal Impact Form, 2. MAP_Blackberry_Lealand, 3. Plantation Park on Wurzbach, 4. Wurzbach_Site Plan 01-25-17, 5. Blackberry-Lealand ROW_Contracts Disclosure Form, 6. Blackberry-Lealand ROW_Form 1295, 7. Blackberry-Lealand ROW_LofA, 8. FIELD NOTES_Blackberry-Lealand ROW, 9. SURVEY_Blackberry_Lealand, 10. Temp Access Blackberry Lealand, 11. Draft Ordinance, 12. Ordinance 2017-03-09-0155

Date	Ver.	Action By	Action	Result
3/9/2017	1	City Council A Session	adopted	Pass

DEPARTMENT: Transportation & Capital Improvements

DEPARTMENT HEAD: Mike Frisbie, P.E.

COUNCIL DISTRICTS IMPACTED: Council District 7

SUBJECT: Disposition: ROW Closure (Unimproved portions of Blackberry Drive and Lealand Drive)

SUMMARY:

An ordinance authorizing the closure, vacation and abandonment of 2.740 acres of unimproved portions of Blackberry Drive and Lealand Drive public right-of-ways in Council District 7, as requested by Caliburn Capital, for a fee of \$120,678.00.

BACKGROUND INFORMATION:

Petitioner, Caliburn Capital, purchased approximately 28 acres of undeveloped property near Wurzbach Road, south of Bandera. The petitioner plans to develop a market-rate, multi-family development including limited

access gates, a resort-style pool, an amenities center and grill house, community walking trail and dog park. The development will be completed in two phases. Phase I will include approximately 264 units of one, two and three bedroom floor plans with attached or detached garages. Construction is anticipated to begin late March/early April 2017 and is estimated for completion in October 2018.

Within the proposed development are two ‘paper streets’ - public right-of-ways that were platted, but never developed. The petitioner submitted a request to the City to close, vacate and abandon its interest in the two unimproved right-of-ways, Blackberry Drive and Lealand Drive. The petitioner owns the property surrounding the proposed closures. The request was reviewed by City Departments/Utilities and received conditional approval. The request is for a total of 2.740 acres (119,384 square feet) of unimproved public right-of-way. If approved, the property will be incorporated into the development of multi-family housing. The value of the closure, \$120,628.00, was determined by averaging the surrounding land values as determined by the Bexar County Appraisal District (BCAD) as provided under Chapter 37-2. (g) (2). Petitioner agreed to the terms and fees of the closure. This action is consistent with City Code and Ordinances which require City Council approval for the disposition of City-owned or controlled real property.

ISSUE:

This ordinance authorizes the closure, vacation and abandonment of 2.740 acres of unimproved portions of Blackberry Drive and Lealand Drive public right-of-ways in Council District 7.

The petitioner owns the property surrounding the proposed closures. If approved, the property will be incorporated into the development of multi-family housing.

ALTERNATIVES:

City Council could choose not to approve the request; however, if not approved, the unimproved right-of-ways would remain underutilized. If approved, the subject right-of-ways will be placed on the tax rolls, and the unimproved right-of-ways will be utilized for housing development.

FISCAL IMPACT:

The value of the closure was determined by averaging the surrounding land values as determined by the Bexar County Appraisal District (BCAD) as provided under Chapter 37-2. (g) (2). The fair market value of \$120,628.00, and \$50.00 recordation fee; total closure fee of \$120,678.00, will be deposited into the General Fund in accordance with the FY 2017 Adopted Budget.

RECOMMENDATION:

The Planning Commission approved this request at its regular meeting on December 14, 2016. Staff recommends approval of this request to close, vacate and abandon 2.740 acres of unimproved portions of Blackberry Drive and Lealand Drive right-of-ways in Council District 7, as requested by Caliburn Capital.